



MORE TROOPS NECESSARY TO FIGHT CHINA.

Administration Endeavoring to Dispatch Land and Naval Reinforcements to Meet the Emergency.

ONE MORE REGIMENT Will Leave Manila for the Scene of Trouble—The United States Con- sulate Completely Destroyed.

WASHINGTON, June 22.—The administration is endeavoring to stimulate the dispatch of troops and naval reinforcements to China to meet the emergency at Tien Tsin. Reports that have been received over night at the navy department, but which are temporarily withheld from publication, are, it is believed, confirmatory of the reports from Europe of the need of reinforcements for the international force at Tien Tsin.

It is understood that the low water in the Pei-Ho river is preventing the naval vessels at Taku from going to the assistance of the small force at Tien Tsin, and it is probable that no boat drawing more water than a torpedo boat can get that far up the river. In that case the purpose of the navy department in hastening the gunboat Nashville and the old Monocacy to Taku has been in part defeated, for even with their light draft, it is improbable that they could ascend the Pei-Ho as far as Tien Tsin during extreme low water.

Only Recourse is Troops.

In this case the only recourse is in the use of troops and naval battalions afloat. The distance from Taku to Tien Tsin is about thirty miles, but the traveling is bad and if there is much opposition the journey might occupy several days. The emergency described in Admiral Kempf's dispatches has led the war department to make an extra effort to hurry forward the Ninth regiment from Luzon to Taku. It was reported that General MacArthur, upon receipt of the original order to send these troops to China, that owing to the break in railway communication between Tientsin, the headquarters of the Ninth, and Manila, and the prevalence in the harbor of a typhoon, it would probably not be possible for the troops to get away before the 24th inst. The war department is now determined that this movement shall be hastened, if it is possible to do so, and has instructed General MacArthur in such a fashion as to warrant the belief here that the troops will be on their way to China not later than to-morrow, thus saving one or two days on the original calculation.

Will Dispatch Another Regiment.

There also is good reason to believe that the authorities will dispatch at least one other regiment from Manila to China with the least possible delay, in order that the United States may be in a better position to assist the allied forces in protecting the lives and property of foreigners.

The United States consul at Tien Tsin, whose residence late advice report to have been destroyed, is situated far up on the meadows road, which runs up from the Pei-Ho directly through the center of the town. It is far removed from any of the other consulates, and practically isolated from all other foreign buildings. This fact might explain the report of its destruction before the rest of the foreign consulates were molested.

Japanese and Russians Close Together.

The Japanese and the Russian consulates are close together on the meadow road nearer the river. Away off by themselves, farther up the Pei-Ho, stand the British and French buildings in close proximity to each other. The American consulate is, or was, as the case may be, one of the most imposing and substantial buildings in the entire town.

A recent census of Tien Tsin shows the foreign population to be about 1,000 persons, including 110 Americans. Thus the report from Japanese sources that 1,000 foreigners at Tien Tsin had been massacred would seem to be untrue or grossly exaggerated in point of numbers. All foreigners within Tien Tsin boundaries would have to be killed to bring the total up to anywhere near that number.

Confidence in the United States.

During the afternoon M. Cambon, the French ambassador, visited the state department. These frequent visits to Secretary Hay of the ambassadors of nations interested in the Chinese situation, fairly illustrate the feverish anxiety with which every development in the situation is being watched. It also may be regarded as an expression of the confidence reposed by Europe in the correct intentions of the United States government, which, by its prompt action at the beginning of the demonstration at Taku, has managed to make the relief movement impersonal so as to speak as between the nations. The French government, in addition to those already recorded, has now signified its accession to the understanding that the movement in China is to be conducted in the common interest, for the protection of the lives and interests of foreigners in China, and not for any national gain.

Little Apprehension Felt.

It turned out during the day that the warships which have arrived at Shanghai are three Chinese Armstrong-built cruisers. Not much apprehension is felt on account of the appearance of these vessels at Shanghai, for the offi-

cial believe there is no doubt as to the good intentions of the Chinese navy. It is only as to the Chinese army that doubt exists, and the administration officials are exasperated at the peculiar omission from every official message of any statement which would clear up the doubt as to whether or not the Chinese army, as well as the boxers, are opposing the relief column, and if the former, then whether the troops are rebels or are acting under orders from the Chinese government. This point is of the utmost importance, for on it depends the attitude to be assumed by the United States toward China, and by that test must be determined the question, "Are we at war with China?"

The state department still holds to a negative view, and it has received recently a powerful support in its position by the attitude assumed by the various European chancelleries.

FOREIGN LEGATIONS SAFE

According to Late Reports From Shanghai—Li Hung Chang Called to Act as an Intermediary.

LONDON, June 22, 3 a. m.—The silence of Peking continues unbroken. Four thousand men of the allied forces were having sharp defensive fighting at Tien Tsin Tuesday and Wednesday, with a prospect of being reinforced on Thursday. This is the situation in China as set forth in the British government dispatch.

"Eight hundred Americans are taking part in the fighting at Tien Tsin," says the Shanghai correspondent of the Daily Express, calling last evening, and they apparently form a part of a supplementary force, arriving with German and British after the conflict started. It is impossible to estimate the number of the Chinese there, but they had a surprising number of guns."

Chinese Deserting Shanghai.

This information appears to have been brought by the United States gunboat Nashville to Chefoo and telegraphed thence to Shanghai. The Chinese are deserting Shanghai in large numbers and going into the interior. Reports from native sources continue to reach Shanghai of anarchy in Peking. According to these tales the streets are filled day and night with boxers who are wholly beyond the control of the Chinese troops, and who are working themselves up to a frenzy and clamoring for the death of all foreigners.

The English consul at Shanghai is said to have received from influential native reports of a tragedy in the palace at Peking, though precisely what it is is not defined. The consul thinks that Admiral Seymour, commander of the international relief column, was misled by information from Peking, and, consequently, underestimated the difficulties in his way and the Chinese power of resistance with maxims guns and mauls.

Believe the Foreign Ministers Safe.

The consuls at Shanghai still believe the foreign ministers at Peking safe, although Japanese reports received at Shanghai allege that up to June 15, 100 foreigners had been killed in Peking.

The Daily Express says: "We understand that Mr. Reginald Thomas, secretary of the British embassy in Washington is to succeed Sir Claude MacDonald at Peking, and that the reason of Sir Claude's recall is the break-down of his health."

A special dispatch from Vienna says: "Li Hung Chang has wired the various Chinese legations in Europe directing them to inform the governments to which they are accredited that he is called to Peking by the emperor, and as intermediary to negotiate a settlement of the points at issue; and he instructs them to beg the powers to facilitate his mission by ceasing to send troops to China."

Sheng, director general of telegraphs, wires from Shanghai to the Chinese legations in Europe, that the foreign legations in Peking are safe.

It is reported that the British government will immediately send 1,200 machines to China and possibly, according to some of the morning papers, ten thousand of the regulars now with Lord Roberts.

TO SUPPRESS THE BOXERS.

Li Hung Chang Will Leave for Peking—Believes in Beholding the Leaders.

HONG KONG, June 22.—Li Hung Chang, who was interviewed in Canton yesterday, said he would leave for Peking, on June 27, in obedience to an order from the emperor to suppress the boxers and to make peace with the powers.

He endorsed the opinion that he was the only man in China capable of coping with the situation. He said he believed the boxers to be a "rabble led away by fanaticism and anti-Christian feeling," but he also declared that the native Christian leaders were much to blame, inasmuch as they engendered litigation in the native courts. He asserted that he did not regard the boxers as political society and that in his opinion the emperor had been misled and misinformed.

War is Not Declared.

Prince Li said he had been officially informed that the Taku forts fired upon the allied fleets because the admiral sent an ultimatum, calling for the removal of the soldiers. He does not interpret that act as a declaration of war and he has not received any instructions to the effect that war has been declared.

International Troops Leave.

ROME, June 22.—A dispatch from Taku, dated yesterday afternoon, says: "An international column, consisting of British, Russian and Japanese soldiers, left Taku this morning for Tien Tsin. An Italian detachment, commanded by an ensign, will remain here to guard the Italian flag, which, with the flags of the other powers, has been hoisted over the forts."

"The detachment of Italian sailors which participated in the capture of the forts suffered no loss."

"German reinforcements from Kio Chow and British reinforcements from Hong Kong, have arrived here."

SIX STORY STRUCTURE DESTROYED.

Flames Eat Up One of the Principal Office Buildings in the Iron City. Loss \$250,000.

LUCKILY NO LIVES LOST.

Students in Duff's College Escape Unhurt—Entire Block Seemed to Be Doomed to Destruction.

PITTSBURGH, Pa., June 22.—Fire in one of the principal downtown business blocks to-day caused a loss of \$250,000, involving eight buildings, containing many office tenants. The aggregate insurance will more than cover this loss. The fire was first discovered in the rear of Eickbaum Company's printing establishment, supposedly caused by spontaneous combustion. The Eickbaum building fronts on Fifth avenue, a few doors below Wood street, was six stories high, and was tenanted by many office holders, among them being Duff's College, occupying the two upper floors; the Holmes Electric Company, on the third floor. In an incredibly short time the entire building was a mass of flames, and before the firemen could do much effective work, had communicated to the Exchange National bank building, next door below, and from there to the Hussey building, adjoining. Simultaneously the fire extended to James Platt's saloon and restaurant, and A. M. Murdock's flower store, on the upper side.

Threatening Was the Conflagration.

The conflagration was one of the most threatening seen in Pittsburgh for many years, and for a time the entire block bounded by Fifth avenue, Wood, Diamond and Market streets seemed doomed to destruction. Immense fire brands were carried by the wind to buildings in all directions, and numerous incipient blazes resulted. Fortunately, however, the roofs of all the buildings in the district were soon manned by private fire brigades, who prevented the fire from spreading beyond the buildings named. The roof of the First National bank, 250 feet away from the Eickbaum building, and on the other side of the street, caught fire, but was soon extinguished without material loss. The new Western Union Telegraph office building, immediately opposite Eickbaum's, was saved by the extra precautionary measures adopted by the company officials. The greatest excitement prevailed in the rooms of the Duff College, where fifty or more students were at work.

Had to Run for Their Lives.

The extension of the flames was so rapid that people had to run for their lives, not having time even to gather their belongings together. Reports were rife that several students had perished, but it is known to-night that all escaped unhurt. The Eickbaum building was completely destroyed, and the Hussey building had the three upper stories burned and the lower floors were flooded with water. When the Eickbaum building had been gutted the wall of the L. portion, which runs in back of Platt's and Murdock's buildings, fell, crushing in the rear portions of the Wood street buildings occupied by the American Express Company, Paulson Bros., Ambuhl Bros. and Kurt. Langbein & Swartz. Several firemen were caught in the debris of this wall, but none were hurt so badly they could not continue their work.

The Principal Losses.

The principal losses are the Eickbaum building, owned by Whitney, Stephenson & Co., \$75,000; the Hussey building, owned by Mrs. Emma Alsop, \$30,000; Kurt, Langbein & Swartz, artists' supply company, \$8,000; Duff's College, \$15,000; Pittsburgh Coal Company, \$7,500; Platt's saloon, \$5,000; Paulson Bros., hatters, \$5,000; American Express Company, \$5,000, and the Holmes Electric Company, \$5,000.

The other losses are distributed between the office tenants, some of whom suffered to the extent of more than \$2,000.

The Exchange National bank did not suffer much damage except by water by reason of the fact that its buildings is only a two-story structure between the two big buildings, and the flames practically skipped over it.

Roosevelt Will Not Resign.

NEW YORK, June 22.—B. B. Odell, Jr., chairman of the Republican state central committee, had his attention called to-day to the statement of an ardent partisan of Lieut. Governor Woodruff that Governor Roosevelt would probably resign, making way for Mr. Woodruff in the executive office, the expected result being the nomination of Mr. Woodruff for governor. Mr. Odell said: "Governor Roosevelt will not resign. He will serve out his term as Governor Cleveland did after he was nominated for president. There is no reason why he should resign."

Turned from Bryan to McKinley.

PHILADELPHIA, Pa., June 22.—Governor Heber M. Wells, Thomas Kearns and Charles E. Loose, three of the six delegates from Utah, to-day announced that they have each forwarded checks for \$50,000 to Chairman Hanna as a contribution to the campaign fund. Four years ago these three delegates were Bryan leaders. Wells is a silver Republican and voted for Bryan; Kearns is the owner of a silver mine at Provo, and Loose is vice president of a bank. They each contributed \$25,000 to the Bryan campaign fund.

Taylor in High Spirits.

PHILADELPHIA, Pa., June 22.—Ex-Governor W. B. Taylor, of Kentucky, who is still here, but expects to return

to-night to Indianapolis, was in high spirits to-day, over the result of the convention. In an interview he said: "We shall carry Kentucky by such an overwhelming majority that they will not dare to count us out."

He said: "Roosevelt is very popular in Kentucky because of his many expressions of sympathy in our behalf. I hope he will take the stump and visit our state. He is my candidate for President in 1904."

Teddy's Reply to Mac.

WASHINGTON, D. C., June 22.—The following is the text of Governor Roosevelt's message to President McKinley: "NEW YORK, June 21."

"Hon. William McKinley, Washington. 'I appreciate deeply your congratulations and am proud to be associated with you on the ticket ROOSEVELT. THEODORE ROOSEVELT.'

Will Liquidate.

PHILADELPHIA, Pa., June 22.—Senator Hanna will leave for his Cleveland home to-morrow morning and the other members of the sub-committee of the national committee on convention arrangements will depart some time during to-morrow for their homes. Chairman Manley, of the sub-committee, announced to-night that by noon on to-morrow all bills in connection with the convention will have been paid. Very few convention visitors and delegates remain in the city.

Blew Open Postoffice Safe.

Special Dispatch to the Intelligencer.

KINGWOOD, W. Va., June 22.—Robbers blew open the safe in the Terra Alta postoffice Thursday night, securing \$350 worth of stamps and a small amount of money and notes, amounting to \$10,000, belonging to W. H. Glover.

Cars Running Regularly.

ST. LOUIS, Mo., June 22.—To-day was one of the quietest since the inauguration of the strike by the employees of the St. Louis Transit Company. Cars were running on the city lines without molestation. The police reported that no violence had occurred up to a late hour to-night.

TOLD IN FEW WORDS.

TEMPERANCE.—The World's Woman's Christian Temperance Union opened its annual meeting at Edinburgh Friday morning, under the presidency of Mrs. L. M. Stevens, of Maine. Lady Henry Somerset presided at the afternoon session.

CAVALRY.—The war department has been informed that Troops B and K, Sixth Cavalry, comprising three officers, 155 enlisted men, 180 public and two private horses, one medical officer and two hospital attendants, have been ordered to Fort Leavenworth, Kansas, Thursday afternoon, en route for San Francisco.

ALIVE.—The relatives of Captain Lettner, commander of the German gunboat Itik, reported in the United States that he is still alive, and that he is recovering from the bombardment of the Taku forts, announced that they had a dispatch to-day, dated Chefoo, Thursday, June 21, saying the captain was in good health.

SUSPENDED.—The national council of the Junior Order of United American Mechanics has just concluded its sessions at Philadelphia, and has sustained the action of the grand lodge in raising the per capita tax to fifteen cents, and ordering the lodges in Pennsylvania, New Jersey, Virginia and the District of Columbia, which have refused to comply with the decision, be suspended.

EXPULSION.—The Netherlands Railroad Company, of South Africa, has issued an official notification of the expulsion from the Transvaal of 1,400 of its employees, with their families. The Dutch consul at Lorenzo Marques telegraphs that a proclamation has been issued to the effect that the company's officials who refuse to do British military transport duty will be sent to Europe via East London, Cape Colony.

RAYMOND STILL PRESIDENT.

Board of Regents, by a Vote of 5 to 4, Decide to Retain Him.

SPECIAL DISPATCH TO THE INTELLIGENCER.

MORGANTOWN, W. Va., June 22.—The board of regents of the University ended the controversy between President Raymond and several members of the faculty this evening by refusing to accept the resignation of President Raymond. The vote on the question stood 5 to 4. The regents who voted to accept the resignation are Messrs. Powell, Kunst, Davis and Eastman, and Mr. Davis made a lengthy argument in favor of his position.

The regents who favored retaining President Raymond are Messrs. Brown, Campbell, Hammill, Sturges and McMahon. The charges of President Raymond against Prof. Brown, Douthat, Harigan, Armstrong and Stewart were taken up, but the regents refused to remove them. Instead of doing this they passed a general resolution to the effect that insubordination upon the part of professors and students would in the future be severely dealt with. Waitman T. W. Barb was elected to assistant professor in English.

Claim He is Insane.

SPECIAL DISPATCH TO THE INTELLIGENCER.

PARKERSBURG, W. Va., June 22.—Judge Jackson in the United States court this evening, appointed a special commission of physicians to inquire into the sanity of C. W. Law, who was brought from Wheeling last night for impersonating a United States post-office inspector. Law was arrested at St. Clairsville, Ohio, after having escaped from Doddridge county, where he swindled a farmer. He has been in an insane asylum and his attorneys claim he is still insane.

Crusade Against Impure Milk.

SPECIAL DISPATCH TO THE INTELLIGENCER.

PARKERSBURG, W. Va., June 22.—The crusade against impure milk here, resulted to-day in samples of milk retailed by the different dairymen being sent by the authorities to Morgantown for analysis. The charge is that dealers are using an acid to prevent the milk from souring.

Pioneer Passes Away.

SPECIAL DISPATCH TO THE INTELLIGENCER.

PARKERSBURG, W. Va., June 22.—Lewis Ogden, a pioneer of this state, died here this morning, aged 73. He was born on the Henderson farm, now famous for its oil production, and leaves a large fortune. He is survived by a wife and a large family of children.

TRANSVAAL SEVERED FROM ORANGE RIVER.

Gen. Steyn's Force Drawing Most of the Attention of Lord Roberts. Briak Fighting Expected.

KRUGER'S SONS RETURN HOME.

Gen. De Wet's Farm Houses Burned By the British—Oom Paul Wishes to Remain in Africa.

LONDON, June 23, 2:45 a. m.—General Steyn's force in the Orange river colony, are for the time drawing most of the attention of Lord Roberts, rather to the neglect of Commandant General Louis Botha and President Kruger. The severance between the Transvaal and the Orange River colony was completed yesterday, as Lord Roberts said it would be, by the arrival of General Buller's advance guard, under Lord Dunderdale, at Standerton.

The wide net around the 6,000 or 8,000 men under General Steyn, will now contract. Adroit manoeuvring and brisk fighting are likely to take place, because until all resistance south of the Vaal is at an end, the British line of communications will not be safe.

Kruger's Sons Back on Their Farms.

President Kruger's sons, who surrendered to General Baden-Powell, are back on their farms and working peacefully. General Baden-Powell rode with only 300 men from Mafeking, and he made the last section of his ride to Pretoria with only thirty-five. Lord Roberts met him in the outskirts of the town and escorted him to the presidency.

General DeWet's farm houses have been burned by the British.

General Buller has issued a special order, enjoining the services of Strathcona house.

Captain James and the brigade from H. M. S. Forte have been ordered back to the ship at the admiral's request.

Mrs. Reitz Needed Assistance.

LORENZO MARQUES, June 22.—President Kruger's principal condition for immediate peace is that he be allowed to stay in the country.

There are five thousand British sick and wounded at Pretoria.

Mrs. Reitz, wife of the Transvaal secretary, and her family who arrived here en route for Europe, had little money that the Dutch consul purchased second class steamship tickets for them.

Blew Up the Railway Bridge.

KAATSBOSCH, June 22.—General Dunderdale, with the Third cavalry brigade, occupied Standerton to-day, without opposition. The burghers left yesterday, after having blown up the railway bridge and doing other damage. The infantry marched twenty-two miles to-day and camped at Kaatsbosch to-night.

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DAMAGE TO WHEAT

Of Northwest Chief Event of Importance of the Week—Advanced Fifteen Cents in Ten Days—Summer Vacation of Laborers May Be Longer Than Usual—Iron Reduced in Price.

NEW YORK, June 22.—R. G. Dun & Company's Weekly Review of Trade to-morrow, will say:

The damage to the wheat crop of the northwest is the event of chief importance. How extensive the loss may prove, in view of widely conflicting accounts, can only be judged from the speculative markets in which information gathered at the west has caused a remarkable advance, at Chicago, fifteen cents in ten days, and the price here was advanced eleven cents per bushel, though for the September option only nine cents. The belief is that so large a part of the spring wheat has been killed as to reduce a yield expected to be close to the largest on record to considerably less than the world has required during the crop year now ending.

Until within the past three years it would have been reasoned that any material advance in price would neutralize the foreign conditions which had caused exports of about 180,000,000 bushels of wheat, flour included, in the closing year, after 223,000,000 bushels in the previous year, and 217,000,000 bushels in the year 1899, besides exports of 213,000,000 bushels of corn in the closing year, against 177,000,000 last year, and 212,000,000 in the previous.

Increase of Foreign Demand.

But the facts seem to indicate a more extensive and lasting increase of foreign demand than has been considered probable. Other sources of heavy export have been found disappointing. The United States continues to show enormous power of increase, if supported by prices which until recent years would hardly have been regarded as remarkably high. If the coming crop falls much below expectations, the demand for it may prove surprising, even though prices average more than has been expected.

The closing of manufacturing works at this season usually has a double meaning. The labor organizations seek in the summer vacation a settlement of wages for the coming year. Last year the pressure for products was so great that concessions were readily made and others later, so that the rate of wages became the highest ever known since the currency was depreciated. This year extensive demands are being made, without approach to settlement as yet in many of the branches of business, so that the summer vacation may be more extensive and in some lines longer than usual. There will be time to work off excessive stocks in some lines and to adjust prices to a new basis for the latter half of the year.

Iron and Steel Reduced in Price.

In iron and steel progress toward that end was made when the structural producers a week ago reduced the prices of beams to 1.90 and angles to 1.80 at Pittsburgh, leaving only rails and tin plates which have not been reduced from the highest point. The rail works are crowded far ahead and the question in tin plates depends largely upon wages. Eastern bar is reduced to 1.55 cents and steel bars to 1.50 at Pittsburgh, with a general shutting down of works expected July 1.

Hoops are quoted there at 2.25 and No. 27 black sheets at three cents, buyers asking only for small lots. There is a wide range of quotations for merchant steel, and the lower prices named for pipe have only started the demand a little, as buyers expect yet lower quotations. Minor metals are also quiet with some transactions.

The shipment of boots and shoes, only 223,745 cases in three weeks of June, are over 20 per cent smaller than in 1899 or 1895, and smaller by 10 per cent or more in other years. The jobs still appear inclined to wait and some manufacturers decline quotations recently named and have closed or reduced force. Of necessity the best economy in production cannot be reached under such conditions. Hides at Chicago are not changed for the week and reported gains and losses balance.

Lower Prices in Cotton.

Lower prices are again reported for several grades of cotton goods and are expected for others, and buying is thereby retarded. Heavy brown goods and drills and denims are dull and without doubt the uncertainty of the material market has some influence. The price for raw cotton has again advanced one-fourth cent during the past week, but without clear indications of increased demand for the supply remaining or insufficiency of that supply. In woolen goods also the manufacturers find that the demand falls to answer expectations or to support prices asked at the opening and some large works are now reported running part time or closing. At the three chief markets wool has been extremely dull, with sales of only 2,750,000 pounds. Even where considerable blocks are offered at low figures the condition of the goods market by no means encourages buying.

Failures for the week have been 179 in the United States, against 178 last year, and 25 in Canada, against 18 last year.

Fairlie on a Cruise.

PHILADELPHIA, Pa., June 22.—The United States steamer Fairlie, Captain Swift, left this port to-day on her annual practice cruise, having aboard sixty members of the Pennsylvania naval battalion.

On the return of the Fairlie about June 30, an effort will be made to have the entire battalion reorganized in order to permit of its use by the state in case of the emergency.

CONSPIRED TO MURDER HIS FATHER.

Young Man Sent to Jail Through the Evidence of the Man Hired to Do the Deed.

HAS BEEN LIVING A FAST LIFE.

Claimed There Was Only Seventy Cents Between Him and Hell, Makes No Statement.

SCRANTON, Pa., June 22.—Edwin B. Everhart, a young man about town, was sent to the county jail this afternoon in default of \$5,000 bail, charged with conspiring to murder his aged and wealthy father, Dr. I. F. Everhart, of Franklin avenue.

The evidence in the case is furnished by Frank B. Lewis, the man who claims to have been hired to do the deed, and detectives have furnished such convincing evidence that little room is left to doubt the story.

The motive is alleged to have been the desire on young Everhart's part to secure his father's money, estimated at a quarter of a million.

Living a Fast Life.

For four or five years the son has been living a fast life, and last spring he was made co-respondent in the sensational divorce suit of City Assessor Phillip Rinsland against his wife, May Williams Rinsland. This last escapade turned the father completely against